

UNITED STATES BANKRUPTCY COURT

WESTERN DISTRICT OF WISCONSIN

IN RE:

SCOTT D. STRONG,

IN BANKRUPTCY NO.:

04-10356-13

Debtor.

MEMORANDUM DECISION

Mortgage Electronic Registration Systems, Inc. has objected to the confirmation of the Debtor's plan in this Chapter 13 case. GMAC Mortgage Corporation was awarded a judgment of foreclosure and conducted a foreclosure sale of the Debtor's principal residence prior to the commencement of this case. The Debtor's plan proposed to de-accelerate the mortgage which Mortgage Electronic Registration Systems' foreclosed, to pay arrearages due under the mortgage through the Chapter 13 trustee and to resume regular payments on the mortgage direct to the mortgagee. The objecting creditor contends that the Debtor no longer has the right to de-accelerate and cure the mortgage. For the reasons articulated in the attached Memorandum Opinion, in the case of Gary R. Wescott, the mortgagee's objection is overruled and the trustee is asked to forward an order confirming the Chapter 13 plan. The reasoning of the Bankruptcy Court for the Eastern District of Wisconsin, Susan V. Kelley, Bankruptcy Judge, expressed in the attached Wescott opinion is adopted by this court as its own.

Dated July 19, 2004.


ROBERT D. MARTIN
United States Bankruptcy Judge